

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Arch Paging, Inc.)	
)	
Complainant,)	
)	
v.)	File No. E-99-06
)	
BellSouth Telecommunications, Inc./)	
BellSouth Corporation)	
)	
Defendant.)	

ORDER

Adopted: March 30, 2000

Released: March 31, 2000

By the Deputy Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On December 7, 1998, Arch Paging, Inc., filed the above-captioned formal complaint against BellSouth Telecommunications, Inc., and BellSouth Corporation. Subsequent to that filing, the parties entered into negotiations in an effort to settle the matter in controversy. On March 27, 2000, the parties filed a Consent Motion for Withdrawal of Formal Complaint.

2. We are satisfied that granting the withdrawal of the complaint will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and of this Commission.

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 208, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the motion for withdrawal of the above-captioned complaint IS GRANTED.

4. IT IS FURTHER ORDERED that the above-captioned complaint IS DISMISSED WITH PREJUDICE and that the proceeding IS TERMINATED.

5. IT IS FURTHER ORDERED that this Order is effective immediately upon release thereof.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Frank G. Lamancusa", is written over the printed name.

Frank G. Lamancusa
Deputy Chief, Market Disputes Resolution Division
Enforcement Bureau

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Suburban Cable TV Company, Inc.) CUID No. PA1319 (West Hempfield)
)
Refund Plan)

ORDER**Adopted: March 29, 2000****Released: March 31, 2000**

By the Acting Chief, Financial Analysis and Compliance Division, Cable Services Bureau:

1. In this Order we consider the refund plan filed by the above-referenced operator ("Operator") in the above-referenced community pursuant to *In the Matter of Suburban Cable TV Company, Inc.*¹ ("Refund Order").² Our review of Operator's refund plan reveals that the refund plan fulfills the requirements of the Refund Order provided Operator accrues interest up to the date of the refund.

2. Accordingly, Operator's refund plan IS APPROVED, provided Operator modifies its refund plan to the extent indicated herein, and IT IS ORDERED, pursuant to Section 76.962 of the Commission's rules, 47 C.F.R. § 76.962, that Operator implement its refund plan within 60 days of the date of this Order.

3. IT IS FURTHER ORDERED, pursuant to Section 76.962 of the Commission's rules, 47 C.F.R. § 76.962, that Operator file a certificate of compliance with the Chief, Cable Services Bureau, within 90 days of the release of this Order certifying its compliance with this Order.

4. This action is taken pursuant to Section 0.321 of the Commission's rules, 47 C.F.R. § 0.321.

FEDERAL COMMUNICATIONS COMMISSION

Kathleen F. Costello, Acting Chief
Financial Analysis and Compliance Division
Cable Services Bureau



¹ See *In the Matter of Suburban Cable TV Company, Inc.*, DA 00-284 (released February 15, 2000).

² The Refund Order required Operator to determine the overcharges to cable programming service tier ("CPST") subscribers for the period stated in the Refund Order and file a report with the Chief, Cable Services Bureau, stating the cumulative refund amount determined (including franchise fees and interest), describing the calculation thereof, and describing its plan to implement the refund within 60 days of Commission approval of the plan.